

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2002-326-T

IN RE:

Petition of the Office of Regulatory)	
Staff to Revoke the Charter Bus)	MOTION FOR IMMEDIATE
Certificate of Jayamohan Tours, Inc.)	SUSPENSION OF CHARTER BUS
For Failure to Maintain and File)	CERTIFICATE
Evidence of Insurance)	

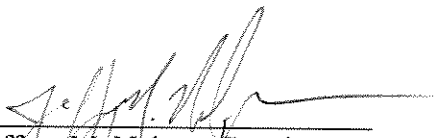
The Office of Regulatory Staff, by the filing of this Motion would respectfully show and request of the Commission:

1. That contemporaneously with this Motion, the Office of Regulatory Staff ("ORS") did file with the Commission a Petition For Rule to Show Cause in the above captioned matter requesting the Commission to schedule a formal administrative hearing to revoke the Charter Bus Certificate of Jayamohan Tours, Inc. (herein "Jayamohan" or "the Company") See Attachment A, Charter Bus Certificate issued by the Commission to **JAYAMOHAN TOURS, INC.** on February 26, 2003.
2. That as shown in attachments to that Petition, the ORS evidenced that National Indemnity Company cancelled the motor carrier insurance policy of Jayamohan effective July 7, 2003. See Attachment B, Form K.
3. That as a result of the receipt of the Form K on June 15, 2006, the ORS contacted **JAYAMOHAN TOURS, INC.** requiring that the Company provide evidence of insurance to the ORS within thirty (30) days as **JAYAMOHAN TOURS, INC.** would no longer have insurance as required under S.C. Code Ann. §58-23-910 (Supp.

2004) on July 7, 2003. See Attachment B, Form K and Attachment C, Certified Letter of George Parker.

4. That in further support of this Motion, the ORS hereby provides as Attachment D the Affidavit of Jeanne Gordon evidencing that Jayamohan has failed to respond or otherwise provide proof of insurance to the ORS since that date.
5. That the Commission's own regulations specifically provide that the mere failure of a company to file evidence of insurance is sufficient grounds for the suspension of a Charter Bus Certificate. As stated in 26 S.C. Code Regs. 103-175 (Supp. 2005) "Either a failure to file evidence of insurance or surety bond or failure to keep all insurance or bonds in full force and effect shall be just cause for the Commission **without further evidence or hearing**, to suspend its order granting authority or to suspend the certificate or any license issued to the motor carrier." (emphasis added). Further, 26 S. C. Code Regs. 103-240 (Supp. 2005) provides in relevant part that "this rule (providing for notice an opportunity to be heard) shall have no effect upon rules hereinbefore set forth which authorize suspension, revocation, alteration, or amendment of a certificate or of an existing order granting operating rights **without hearing** where certain conditions exist." (emphasis added).
6. That while this matter is awaiting a hearing before the Commission, such continued operation by Jayamohan without any form of insurance is contrary to the public interest as an uninsured motor carrier may pose a threat to customers of the Company and the general public, who would be unaware of Jayamohan's lack of insurance.

WHEREFORE, the ORS staff prays that this Honorable Commission immediately and without further evidence or hearing suspend, pursuant to 26 S.C. Code Regs. 103-175 (Supp. 2005), the Charter Bus Certificate, Number 0149, of **JAYAMOHAN TOURS, INC.** (issued under Order No. 2002-731 in Docket 2002-326-T) and for such other appropriate action which the Commission may deem necessary and proper.



Jeffrey M. Nelson, Esquire
Nanette S. Edwards
Office of Regulatory Staff
PO Box 11263
Columbia, SC 29211

September 6, 2006
Columbia, SC



Public Service Commission of South Carolina
Columbia, South Carolina

CLASS C – Charter Bus

Docket No. 2002-326-T
Order No. 2002-731
Certificate No. 0149

CHARTER BUS CERTIFICATE

NAME: **JAYAMOHAN TOURS, INC.**

ADDRESS: 109 Plum Tree Lane, Hamlet, NC 28345

a charter bus passenger service, by means of motor propelled vehicles, has furnished evidence of compliance with regard to minimum amounts of financial responsibility relating to insurance requirements and safety requirements of the South Carolina Department of Public Safety.

BETWEEN POINTS AND PLACES IN SOUTH CAROLINA

COPY

Neither this Certificate nor the rights granted herein shall be sold, assigned, leased, transferred, mortgaged, pledged, or otherwise hypothecated, unless first approved by the Commission.

DATED at Columbia, South Carolina, this 26th day of February A.D., 2003.

Executive Director

Chairman

Check type canceled: BI and PD X Cargo

Attachment B

Filed with DEPARTMENT OF TRANSPORTATION

(Name of Commission)

This is to advise that under the terms of a policy or policies issued to:

SHERRY EDWARD & RANDALL GREENE

DBA: JAYAMOHAN TOURS, INC.

Name of Motor Carrier

of 109 PLUMTREE LANE

(Address of Motor Carrier)

by NATIONAL INDEMNITY COMPANY

(Name of Company)

of 3024 HARNEY STREET OMAHA, NEBRASKA 68131

(Address)

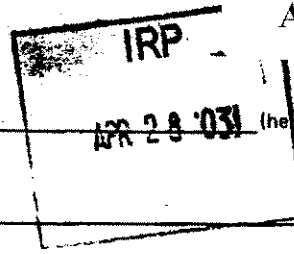
said policy or policies, including any and all endorsements forming a part thereof or certificates issued in connection therewith, is (are) hereby canceled effective as of the 07 day of JULY, 2003, 12:01 a.m., standard time at the address of the Insured as stated in said policy or policies provided such date is not less than thirty (30) days after the actual receipt of this notice by the commission.

ATTACH

Insurance Company File No. 70 APN197342
(Policy No.)

(Signature of Insurer)

This form determined by the National Association of Regulatory Utility Commissioners and promulgated by the Interstate Commerce Commission pursuant to the provisions of Section 202(b) (2) of the Interstate Commerce Act (49 U.S.C., sec. 302(b) (2)). MC 2445 (Ed. 4-68)



RECEIVED NC 28345

JUN 15 2006

ORS TTW/W/W

Las Dallas

3024 HARNEY MAY 02 '03

C. DUKES SCOTT
EXECUTIVE DIRECTOR

P.O. Box 11263
Columbia, S.C. 29211



Phone: (803) 737-0800
Fax: (803) 737-0801

DAN E. ARNETT
CHIEF OF STAFF

June 15, 2006

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jayamohan Tours, Inc.
109 Plum Tree Lane
Hamlet, NC 28345

RE: Public Service Commission Required Intrastate Insurance Filing

Dear Sir/Madam:

Pursuant to S.C. Code Regulation 103-170.1, all motor carriers regulated by the Public Service Commission must file evidence of current insurance. The Office of Regulatory Staff has received the following notice affecting your current insurance coverage:

Insurance Type:	Public Liability and Property Damage Insurance Policy No 70 APN197342
Issued by:	National Indemnity Insurance Company
Will be:	<u>CANCELLED EFFECTIVE 06/07/03 at 12:01 a.m.</u>

To remain in compliance with the Public Service Regulations, it is necessary that you file proof of current insurance coverage (**FORM E**) with the Office of Regulatory Staff prior to the above listed cancellation date. Proof of insurance can be mailed or faxed to:

S.C. Office of Regulatory Staff
Transportation Department
PO Box 11263
Columbia, SC 29211

Fax: 803-737-0801

****IMPORTANT** **IMPORTANT** **IMPORTANT****

If you have renewed your insurance with the same company or changed insurance companies, please contact our office to see if your insurance company has submitted a current Form E.

If you receive this letter and your company is no longer in business, please contact the Transportation Department at 803-737-0800 and request a Cancellation of Certificate Form.

If you fail to provide this information, you are ordered and directed to cease operations as of the above cancellation date. Operation without proper insurance is a violation of the law and you will be subject to all penalties as outlined in the S.C. Code of Law and Regulations.

Please contact the Transportation Department with any questions at 803-737-0800.

Sincerely,

L. George Parker
Program Manager
Transportation Department

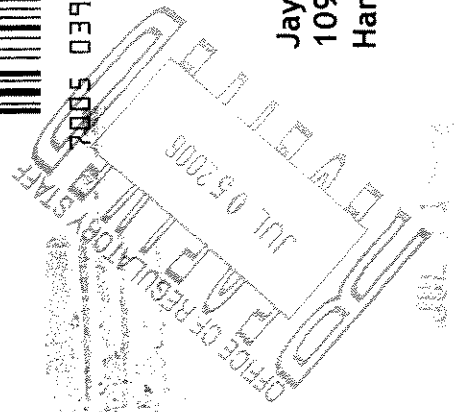
State of South Carolina
Office of Regulatory Staff
PO Box 11263
Columbia, SC 29211

VERIFIED MAIL™



7005 0390 0002 6160 0036

Jayamohan Tours, Inc.
109 Plum Tree Lane
Hamlet, NC 28345



JAY104 203452010 1105 15 06/27/06
RETURN TO SENDER
: JAYAMOHAN TOURS
MOVED LEFT NO ADDRESS
UNABLE TO FORWARD
RETURN TO SENDER

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2002-326-T

September 1, 2006

IN RE: Petition of the Office of Regulatory)
 Staff to Revoke Charter Bus)
 Certificates of Certain Motor)
 Carriers)


AFFIDAVIT OF
Jeanne Gordon

The Affiant, after having been first duly sworn, deposes and states as follows:

- 1) My name is Jeanne Gordon and I am employed by the Office of Regulatory Staff ("ORS") as Program Specialist for the Transportation Department.
- 2) My office is located at 1441 Main Street, Columbia, South Carolina, 29201 (Mailing Address: Post Office Box 11263, Columbia, South Carolina 29201).
- 3) My duties and responsibilities as Program Specialist for ORS include serving as custodian of records for business filings associated with motor vehicle carriers subject to the jurisdiction of the Public Service Commission ("PSC").
- 4) It is the regular business practice of ORS to maintain certain business records required to be filed by motor vehicle carriers that are subject to the jurisdiction of the PSC.
- 5) As a result of my duties and responsibilities, I have knowledge of the manner in which the books and records are kept and of any books or records which are not complete or which are not on file with ORS.
- 6) On June 13, 2006, I examined the business records on file with ORS.
- 7) As a result of that examination, I attest that the proof of insurance as required by 26 S.C. Code Regs 103-171 has not been filed with ORS by the following company as of September 1, 2006:

Jayamohan Tours, Inc.
109 Plum Tree Lane
Hamlet NC 28345

AND FURTHER THE AFFIANT SAYETH NOT.

_____

Jeanne Gordon
Program Specialist, Transportation Department
Office of Regulatory Staff
P.O. Box 11263
Columbia, South Carolina 29211

Sworn and subscribed before me
this 1st day of Sept, 20 06

_____
Notary Public for South Carolina

My Commission Expires: 5/11/2010